

**REMARKS**

Claims 1-18 are pending in this application. Claims 1-18 stand rejected. By this Amendment, claims 3 has been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Applicants note that Claims 3 and 5-7 are objected to as being dependent on their rejected base claim. Applicant has rewritten Claim 3 in independent form. Therefore, Applicants respectfully requests a notice of allowance with respect to at least Claims 3 and 5-7.

Claim 4 stands rejected under 35 USC § 112, ¶ 2 as being indefinite. Applicant has amended Claim 4 in view of the Examiner's remarks. As such, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 USC § 112.

Claims 1, 2, 10, 11, and 13-18 stand to reject under 35 USC § 102(e) being anticipated by U.S. Patent No. 6,621,895 ("Giese"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

Among limitations of independent Claim 1 not present in the cited reference is a service broker device at a functional host layer of said network service management device, the service broker device receiving service information on services which can be provided by the respective domains and domain information which are output from the network service management device which belongs to each of the proprietors. As set forth in the claim, the service broker receives service information and domain information out from the network service management device.

In the present invention, the service broker device at a functional host layer of the network service management device receives the service information and domain information from network service management devices incorporated within operations management networks managed by different providers, and the service broker device performs brokerage to select a network service management device incorporated within an operations management network managed by another provider, with which interconnection is to be established, for ensuring an end-to-end quality level required by the customer based on the service information and domain information.

In contrast, in lines 32-57 of column 11 and line 58 of column 11 to line 3 of column 12 of Giese, Giese merely discloses that a content application outputs communication goals of an originating party. Specifically, application session requirements and a session profile which includes a media-type and device requirements and the application session requirements are converted by a contact agent 10 into another format. All of these processes are performed by the providers shown in FIG 7 of Giese. Thus, Giese does not disclose or suggest the service broker device at a functional host layer of a network service management device, or the aforementioned limitations of the present invention.

Further, as disclosed in Giese, requirements for a session are specified by the originating party or by the content application of the originating party or as previously supplied data. Thus, in Giese, the services are requested as a service requirement and not received by the broker as services which can be provided.

Therefore, Giese fails to disclose the explicitly recited service broker device set forth in Applicant's claims. Therefore, Applicants respectfully submit that Giese fails to anticipate Claims 1, 2, 10, 11, and 13-18.

Applicant's claims recite that the interconnection is established based on a required quality level. This feature is not shown in Giese. In Giese, what is provided is "a best match set of transport services". See column 4, lines 47-48. Applicants

respectfully submit that a best match set of transport services is not necessarily the required quality level recited in the claims. A required quality level is a required quality level from a customer which should be ensured by a provider whereas a best match may be the best available matching services. Thus, Applicants respectfully submit that Giese fails to disclose Applicants' explicitly recited required quality level.

In Giese, negotiation and brokerage are performed by agents provided in the same layer, i.e., an enhanced communication services layer 6. Giese does not disclose or suggest that the service broker device is at a functional host layer of the network service management devices (independent Claims 1, 8, and 10), and that negotiation is performed between the network service management devices while a service level agreement is brokered by the service broker device at the functional host layer of the network service management devices (independent Claims 1 and 8). The Office Action references lines 44-67 of column 15 of Giese to disclose this limitation. However, Giese does not disclose or suggest such a limitation.

In the present invention, selection of route information and a network service management device is performed based on "service information on services which can be provided by respective domains" and "domain information" which are output from a network service management device to the service broker device. Giese does not disclose or suggest such a limitation. For example, referring to the recitations of Giese pointed out in the fifth line from the bottom of page 4 through the second line of page 5 of the Office Action, Giese does not disclose or suggest such a limitation.

Claims 4, 8, 9, and 12 stand rejected under 35 USC § 103(A) as being unpatentable over Giese in view of various other references. These additional references were not added to cure the deficiency noted in Giese discussed above but, to show additional limitations which, even if those references were to show, do not cure

the deficiency noted in Giese above. As such, Applicants respectfully submit that all of the pending claims are an immediate condition for allowance.

Additionally, the service registration step of Claim 8 also recites the service information and the domain information. However, lines 12-49 of column 6 of Graham pointed out by the Examiner with regard to such a limitation (lines 3-4 of the fourth paragraph of page 10 of the Office Action) merely disclose that services are advertised by a service provider and services are registered in a database.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated:

Respectfully submitted,

By   
Ian R. Blum

Registration No.: 42,336  
DICKSTEIN SHAPIRO LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714  
(212) 277-6500  
Attorney for Applicant

IRB/mgs